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7 **UNITED STATES DISTRICT COURT**  
8 **CENTRAL DISTRICT OF CALIFORNIA**  
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10 PHILIPPE KELLY,

11 Petitioner,

12 v.

13 ELVIN VALENZUELA, Warden,

14 Respondent.  
15

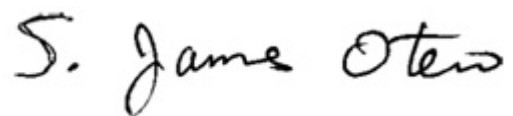
Case No. CV 15-04976 SJO (AFM)

**ORDER ACCEPTING FINDINGS  
AND RECOMMENDATIONS OF  
UNITED STATES MAGISTRATE  
JUDGE**

16 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on  
17 file and the Report and Recommendation of United States Magistrate Judge.  
18 Further, the Court has engaged in a *de novo* review of those portions of the Report  
19 to which objections have been made. Petitioner's objections are overruled. The  
20 Court accepts the findings and recommendations of the Magistrate Judge.

21 IT THEREFORE IS ORDERED that (1) the Report and Recommendation of  
22 the Magistrate Judge is accepted and adopted; (2) Respondent's Motion to Dismiss  
23 the Petition as untimely is granted; and (3) Judgment shall be entered denying the  
24 Petition and dismissing the action with prejudice.

25  
26 DATED: May 16, 2016



27 **S. JAMES OTERO**  
28 **UNITED STATES DISTRICT JUDGE**